

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                        |   |                        |
|------------------------|---|------------------------|
| In re Application of:  | ) | Art Unit: 1652         |
|                        | ) |                        |
| FOGH, et al.           | ) | Examiner: PAK, Y.      |
|                        | ) |                        |
| Serial No.: 10/588,082 | ) | Washington, D.C.       |
|                        | ) |                        |
| Filed: June 20, 2007   | ) | May 5, 2010            |
|                        | ) |                        |
| For: PRODUCTION AND    | ) | Docket No.: FOGH=5A    |
| PURIFICATION OF        | ) |                        |
| RECOMBINANT...         | ) | Confirmation No.: 4018 |

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop RCE  
401 Dulany Street  
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")**

a. ☒ [X] Previously submitted

i. ☒ [X] Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on April 12, 2010  
(Any unentered amendment(s) referred to above will be entered)

☒ [X] Since the Advisory Action refused to enter the Amendment on the ground that it raised new issues, the next action cannot be made final. See MPEP 706.07(h) (VIII) and 706.07(b).

ii. ☐ [ ] Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ [ ] DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_.

b. ☐ [ ] Enclosed

i. ☐ [ ] Amendment/Reply  
ii. ☐ [ ] Affidavit(s)/Declaration(s)  
iii. ☐ [ ] Information Disclosure Statement (IDS)  
iv. ☐ [ ] Other

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required). If this box is checked, the PTO is specifically authorized, if the suspension fee is not otherwise paid, to charge the suspension fee to Deposit Account 02-4035.

b. ☐ Other

## 3. Fees

a. small entity status

☐ small entity status was previously asserted on \_\_\_\_\_.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☐ 405.00 (small entity)      ☒ 810.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity

Non-Small Entity

Response filed within:

Response filed within:

\_\_\_\_ first    -\$    65.00

\_\_\_\_ first    - \$   130.00

\_\_\_\_ second   -\$   245.00

XX second   - \$   490.00

\_\_\_\_ third    -\$   555.00

\_\_\_\_ third    - \$1,110.00

\_\_\_\_ fourth   -\$   865.00

\_\_\_\_ fourth   - \$1,730.00

\_\_\_\_ fifth    -\$1,175.00

\_\_\_\_ fifth    - \$2,350.00

month after time period set.    month after time period set.

(less \$130.00 already paid for one month extension of time on April 12, 2010).

iii. ☐ Fee of \$130 under 1.17(i) for requesting limited suspension.

iv. Additional claims

(RCE fee need not include excess claims fee for claims previously paid for)

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| (Col. 1)                                       |                                  | (Col. 2) |                                 | (Col. 3)      |  | Small Entity |                | Other Than a Small Entity |                |
|--|----------------------------------|----------|---------------------------------|---------------|--|--------------|----------------|---------------------------|----------------|
|  | Claims Remaining After Amendment |          | Highest No. Previously Paid For | Present Extra |  | Rate         | Additional Fee | Rate                      | Additional Fee |
| Total  |                                  | Minus    |                                 | =             |  | x 26         | \$             | x 52                      | \$             |
| Indep.   |                                  | Minus    |                                 | =             |  | x110         | \$             | x220                      | \$             |
| First Presentation of Multiple Dependent Claim |                                  |          |                                 |               |  | 195          | \$             | +390                      | \$             |
| TOTAL ADDITIONAL CLAIMS FEE                    |                                  |          |                                 |               |  |              | \$             | Total                     | \$             |

v. Other:\_\_\_\_\_.

c. The total fee due is therefore \$1170.00.

d. PAYMENT BY

i. ☐ Check (# ) in the amount of :

ii. Attached is Credit Card Authorization authorizing payment in the amount of \$1170.00.

iii. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4035

e. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

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Attorneys for Applicant(s)

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